

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39102 of 2020

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Karan Kumar aged 21 years, son of Sri Khagesh Paswan, resident of village-
Majara, P.S.-K. Nagar (Maranga), District-Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Adv.
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-06-2021 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and the learned A.P.P. for the State, Sri Madhura Nand Jha.

This is an application for grant of anticipatory bail in connection with K. Nagar (Maranga) P.S. Case No. 187 of 2020 registered for the offence punishable under Section 392 of the Indian Penal Code.



The allegation, according to the informant, is that while he was going on his motorcycle from village Majara to Purnea, on the way, two persons had intercepted his motorcycle, whereafter the petitioner is stated to have taken out a knife and the informant was told to alight from his motorcycle and hand over his motorcycle, purse and mobile. It is also alleged that thereafter, the informant had got scared and had handed over his motorcycle, purse and mobile to the accused persons.

The learned counsel for the petitioner submits that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner submits that since there is previous enmity in between the father of the petitioner and the maternal uncle of the informant, the petitioner has been falsely implicated in the present case, which is apparent from the fact that the impugned order dated 24.09.2020 itself records that the



looted motorcycle has been recovered from the house of the co-accused person, namely, Sohel. It is further submitted that the petitioner is ready to abide by such conditions as may be deemed fit and proper to be imposed by this Court.

Per contra, the learned APP for the State, Sri Madhura Nand Jha, has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner is having a clean antecedent and the looted motorcycle is stated to have been recovered from the house of the co-accused person, namely, Sohel, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a



period of eight weeks from the date of receipt/ production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with K. Nagar (Maranga) P.S. Case No. 187 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is needless to state that the petitioner shall cooperate with the ongoing investigation and shall appear before the Investigating Officer whenever called upon to do so, failing which the Investigating Officer of the case shall be free to approach this Court, for the purposes of cancellation of the privilege of anticipatory bail, being extended to the petitioner herein.

(Mohit Kumar Shah, J)

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